

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION No. 17387 of 2005****For Approval and Signature:****HONOURABLE MR.JUSTICE AKIL KURESHI**

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
 - 2 To be referred to the Reporter or not ?
 - 3 Whether their Lordships wish to see the fair copy of the judgment ?
 - 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
 - 5 Whether it is to be circulated to the civil judge ?

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BABUBHAI PUNABHAI PATEL - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :

MR UM SHASTRI for Petitioner No(s).: 1.
MR PR ABICHANDANI, AGP for Respondents

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI**Date : 26/08/2005****ORAL JUDGMENT**

Rule. Learned AGP Mr.Abichandani waives service of notice of rule on behalf of the respondents. At the joint request of the learned advocates appearing for the parties, the petition is taken up for final disposal

today.

2. The main grievance of the petitioner in the present petition is that though the Government policy provides for consideration of regularization of the holding of the land held by the petitioner, the authorities have not yet passed any order in this regard. The case of the petitioner is that his father was cultivating forest land since early 1960's. Learned advocate for the petitioner tenders on record village form No.7/12 to point out that the father of the petitioner was in possession of approximately 5 acres of land since 1958-59 and thereafter also. It is the case of the petitioner that the petitioner has been cultivating the said land after the death of his father.

3. Considering the submissions made if the petitioner makes a representation to the Collector, Dahod within a period of two weeks from today, such representation shall be considered and disposed of expeditiously preferably within a period of four months from the date of receipt of such representation, in accordance with the prevailing Government policies, rules and regulations. Until such time that the representation is disposed of, the

respondents shall maintain status quo with respect to the possession of the petitioner of the land in question. Rule is made absolute accordingly with no order as to costs.

Direct service.

(Akil Kureshi, J.)